

## Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 SCS-03 SCA-01 PM-04 NSC-05 SP-02 SS-15

CIAE-00 INR-07 NSAE-00 L-03 H-02 DHA-02 PRS-01 USIA-06

PA-01 /063 W

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R 071917Z OCT 75

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 7354

C O N F I D E N T I A L NASSAU 1692

E.O. 11652: GDS

TAGS: CASC (IMPENDING EXECUTION OF MICHAIAH SHOBEK)

SUBJ: SHOBEK, MICHAIAH: THE PENULTIMATE CHAPTER

REF: NASSAU 1680

1. AFTER THE INTENSE WEEKEND ACTIVITY WHICH CULMINATED IN EMBASSY OFFICER OBTAINING SHOBEK'S SIGNATURE ON APPEAL NOTICE TO THE COURT OF APPEAL ON SUNDAY, THE NOTICE WAS FILED WITH THE COURT OF APPEAL THE FIRST THING MONDAY MORNING. EMBASSY THEN BEGAN ITS OWN VIGIL AWAITING BAHAMIAN GOVERNMENT ACTION.

2. A DISCUSSION WITH ADDERLEY IN MID-AFTERNOON RESULTED IN ASSURANCE THAT EVERYTHING WAS ON THE TRACK BUT THAT HE COULD NOT TELL ME WHAT WAS HOLDING UP THE FINAL ACTION. (COMMENT: I FRANKLY CANNOT TELL WHETHER ADDERLEY HIMSELF DID NOT KNOW OR WHETHER THE USUAL PACE OF BAHAMIAN MOVEMENT EXPLAINS THE DELAY.)

3. AT 5:30 IN THE AFTERNOON ADDERLEY CALLED ME TO REASSURE ME THAT MATTER WAS PROCEEDING CONSISTENT WITH SCENARIO HE AND I HAD EARLIER WORKED OUT, BUT THAT IT WAS NOT CLEAR THAT DECISION WOULD BE TECHNICALLY MADE THAT NIGHT AND THUS THAT NO FORMAL ANNOUNCEMENT COULD BE MADE. I POINTED OUT TO ADDERLEY THAT WE WERE BEING BESIEGED BY CALLS FROM NEWSPAPERS, RADIO AND TELEVISION FROM ALL OVER THE UNITED STATES (WHICH IN FACT  
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WE WERE) AND THAT IN THE ABSENCE OF AN ANNOUNCEMENT THE ASSUMP-

TION WOULD BE MADE THAT SHOBEK WAS TO BE HUNG. (IN FACT, WALTER CRONKITE ON CBS NEWS SO REPORTED AT 6:30 LAST NIGHT.) ADDERLEY REGRETTED, BUT SAID THERE WAS NOTHING HE COULD DO ABOUT IT. IN FACT, NOTING THAT THE GOVERNOR GENERAL SIR MILO BUTLER WAS TO BE MY DINNER GUEST LAST NIGHT, ADDERLEY ASKED ME NOT TO MENTION THE MATTER TO SIR MILO "SINCE HE DOESN'T KNOW ANYTHING ABOUT WHAT'S GOING ON AS YET." (COMMENT: THIS IS ENTIRELY BELIEVABLE.)

4. I NOTED TO ADDERLEY THAT PERHAPS HE AND I COULD BE CONFIDENT THAT THE SCENARIO WOULD PROCEED AS WE HAD DISCUSSED, BUT HAD ANYBODY CLUED IN THE HANGMAN. I WAS REASSURED ON THIS POINT WHEN ADDERLEY POINTED OUT THAT THE EXECUTION COULD NOT BE PERFORMED WITHOUT A WRIT FROM THE PROVOST MARSHAL, WHICH OFFICER REPORTS TO ADDERLEY IN HIS CAPACITY AS ATTORNEY GENERAL. ADDERLEY ASSURED ME THAT THE PROVOST MARSHAL HAD BEEN APPROPRIATELY INSTRUCTED.

5. WITH THE PHONE STILL RINGING OFF ITS HOOK, I LEFT THE OFFICE TO FACE AN EVENING WITH THE GOVERNOR GENERAL. WHEN I ARRIVED AT THE RESIDENCE THE PHONES WERE STILL RINGING WITH CALLS COMING IN ABOUT ONE EVERY FIVE MINUTES. (COMMENT: IT IS INTERESTING TO NOTE THE AMOUNT OF INTENSE FEELING WHICH THE PROJECTED EXECUTION GENERATED. DESPITE THE FACT THAT SHOBEK HAS CONFESSED TO THREE BRUTAL MURDERS, INTEREST IN HIS CASE WAS GREATER BY SEVERAL ORDER OF MAGNITUDE THAN THAT WHICH ACCOMPANIED THE LOBSTER FISHERMEN'S PROBLEM.) IN ANY EVENT, ONE SUCH CALL REVEALED THAT RADIO BAHAMAS HAD ANNOUNCED THE STAY OF EXECUTION.

6. I CALLED ADDERLEY TO FIND OUT WHAT WAS GOING ON AND LEARNED THAT HE HAD NOT BEEN INFORMED OF THE ANNOUNCEMENT HIMSELF. IN FACT, HE SAID HE DID NOT KNOW WHETHER IN A PURELY TECHNICAL SENSE THE NECESSARY PAPERS HAD BEEN SIGNED. BUT IN ANY EVENT, THERE WE WERE, THE ANNOUNCEMENT HAD BEEN MADE.

7. COMMENT: THIS WHOLE EXERCISE IS A PRIME EXAMPLE OF HOW BAHAMIANS AND, MORE PARTICULARLY, GOVERNMENT OPERATE. VIEWED IN THE RETROSPECT OF THE MORNING AFTER, THE GCOB  
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UNDOUBTEDLY ACTED FASTER ON THE SHOBEK MATTER THAN ON ANY OTHER SINGLE ISSUE IN THE PERIOD THAT I HAVE BEEN HERE, OR INDEED IN THE RECOLLECTION OF ANYONE IN THESE PARTS. THAT THE ENTIRE PROCESS DID NOT FUNCTION AS SMOOTHLY AS IT MIGHT HAVE IS SIMPLY PAR FOR THE COURSE. THE QUESTION NOW IS WHERE WE GO FROM HERE. AS INDICATED IN REFTTEL, WE HAVE BEEN ASSURED THAT ONCE POSTPONED THE EXECUTION WILL NOT BE REINSTATED. WHETHER, HOWEVER, SHOBEK WILL NEVERTHELESS HAVE TO FILE THE

SUBSTANTIVE BRIEF FOR THE CONSIDERATION OF THE COURT OF APPEAL,  
WHICH IS BOUND TO INVOLVE AN EXPENSIVE LEGAL FEE, OR WHETHER  
THIS CAN BE AVOIDED, I DO NOT KNOW. I WOULD VERY MUCH LIKE  
TO GET THE EMBASSY OUT OF THE ROLE OF ACTING AS A QUASI  
LEGAL COUNSEL TO SHOBEK. I IMAGINE, HOWEVER, I WILL HAVE TO  
HAVE AT LEAST ONE FURTHER DISCUSSION WITH ADDERLEY TO GET HIS  
ADVICE ON HOW TO PROCEED, AS WELL AS ONE FURTHER DISCUSSION  
WITH SHOBEK'S LEGAL COUNSEL DUPUCH. I WILL KEEP DEPARTMENT  
INFORMED OF FURTHER DEVELOPMENTS.  
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## Message Attributes

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